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Attorneys for Defendant

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

THE CENTER FOR INVESTIGATIVE
 REPORTING,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
 JUSTICE,

Defendant.

No. 3:17-cv-06557-JSC

**STIPULATION AND [PROPOSED] ORDER TO
 CONTINUE CASE MANAGEMENT
 CONFERENCE**

Pursuant to Civ. L.R. 6-2 and 7-12, the Parties, through undersigned counsel, submit the following stipulation and request to continue the upcoming case management conference and associated deadlines.

1. On September 23, 2021, the Ninth Circuit issued its Order and Opinion reversing this Court’s judgment and remanding for further factual development, noting that “[t]he only question that . . . remains is whether the [Firearms Tracing System] database is currently capable of producing the information [Plaintiff] seeks in response to a search query.” ECF No. 63 at 8.

2. On June 6, 2022, the Court issued an Order Setting Case Management Conference, scheduling a case management conference for June 30, 2022 at 1:30 p.m. and ordering the Parties to

submit a joint case management conference statement addressing how the parties wish to proceed and proposing a briefing schedule. ECF No. 65.

3. Following the Ninth Circuit's remand decision, Defendant released additional information to Plaintiff.

4. The Parties have met and conferred and agree that all issues relating to Defendant's obligations to produce records under FOIA have been resolved, and that the only outstanding unresolved issues relate to Plaintiff's claim for attorney's fees and costs.

5. The Parties further agree that additional time is needed so that the Parties can attempt to resolve Plaintiff's claim for attorney's fees and costs without the need for further litigation. The Parties believe that continuing the meet-and-confer process for this additional period is likely to be productive in further narrowing the issues, and could potentially eliminate the need for further Court involvement.

6. Accordingly, the Parties stipulate that the case management conference should be continued to September 1, 2022 at 1:30 p.m., and respectfully request that the Court order the continuance.

7. The Parties propose to submit a joint case management statement to the Court on August 25, 2022, setting forth any remaining areas of dispute. If at that time the Parties have not resolved Plaintiff's claim for attorney's fees and costs and no such resolution appears imminent, the Parties shall include in their statement a joint proposed briefing schedule for Plaintiff's motion for attorney's fees and costs.

IT IS SO STIPULATED.

DATED: June 21, 2022

Respectfully submitted,

STEPHANIE M. HINDS
United States Attorney

/s/ David M. DeVito*
DAVID M. DEVITO
Assistant United States Attorney

Attorneys for Defendant

* In compliance with Civil Local Rule 5-1(i)(3), the filer of this document attests under penalty of perjury that counsel for Plaintiff has concurred in the filing of this document.

1 DATED: June 21, 2022

THE CENTER FOR INVESTIGATIVE
REPORTING

2 /s/ D. Victoria Baranetsky

3 D. VICTORIA BARANETSKY

4 Attorneys for Plaintiff

5
6
7 **[PROPOSED] ORDER**

8 Pursuant to the stipulation of the parties, it is hereby ordered that:

- 9 1. The Case Management Conference currently set for June 30, 2022 at 1:30 p.m. is hereby
10 continued to September 1, 2022 at 1:30 p.m.; and
11 2. The Parties will provide the Court with a Joint Case Management Statement by August 25,
12 2022.

13 IT IS SO ORDERED.

14 DATED: _____

15 _____
16 HON. JACQUELINE SCOTT CORLEY
United States District Judge